

REMARKS

This application has been carefully reviewed in light of the non-final Office Action dated July 19, 2007. Claims 23 to 31 and 41 have been cancelled herein, without prejudice or disclaimer of subject matter. Claims 1 to 22 and 32 to 40 remain in the application, of which claims 1, 14 and 32 are the independent claims herein. Reconsideration and further examination are respectfully requested.

Initially, the Applicants' undersigned representative thanks Examiner Al-Aubaidi for the thoughtful courtesies and kind treatment afforded during the telephonic interview conducted on August 29, 2007. In the interview, the finality of the office action and claim 41 were discussed. The Examiner agreed to withdraw the finality of the office action because the use of the new reference was not necessitated by the Applicants' amendment. The Examiner acknowledged the failure to address claim 41 but stated that claim 41 would have been rejected for similar reasons as the other independent claims.

In the Office Action, claims 1 to 40 have been rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,532,218 ("Shaffer") in view of U.S. Patent No. 6,907,011 ("Miller"). In response, the independent claims have been amended to further clarify several additional features. Since support for these newly clarified features is found throughout the disclosure, including at least paragraphs [0039] to [0040] and [0048], no new matter is believed to have been added. Withdrawal of the § 103 rejection and further examination are respectfully requested.

According to the present disclosure, a subscription for a conference data stream is registered with a content based messaging (CBM) network, messages corresponding to the subscription for the conference data stream are received from the CBM network, and the messages are presented to a user. Input data is generated using an input device, the input data is published via the conference data stream, and it is determined if any participants are subscribed to the conference data stream. If it is determined that no participants are subscribed to the conference data stream, publishing of the input data via the conference data stream is halted. Information that a new participant has been subscribed to the conference data stream is received,

publishing of the input data via the conference data stream is restarted based on receiving the information.

Referring to particular claim language, independent claim 1 recites a computer-implemented method including registering a subscription for a conference data stream with a content based messaging (CBM) network, receiving messages corresponding to the subscription for the conference data stream from the CBM network, and presenting the messages to a user. The method also includes generating input data using an input device, publishing the input data via the conference data stream, and determining if any participants are subscribed to the conference data stream. The method further includes halting publishing of the input data via the conference data stream, if it is determined that no participants are subscribed to the conference data stream, receiving information that a new participant has been subscribed to the conference data stream, and restarting publishing of the input data via the conference data stream based on receiving the information.

The applied references are not seen to disclose, teach or to suggest the foregoing features recited by the independent claims. In particular, neither Shaffer nor Miller are seen to disclose at least the features that *i)* a subscription for a conference data stream is registered with a CBM network; *ii)* if it is determined that no participants are subscribed to the conference data stream, publishing of the input data via the conference data stream is halted; and *iii)* publishing of the input data via the conference data stream is restarted based on receiving the information.

Shaffer generally describes multimedia collaborative conferencing. *See* Shaffer, Abstract. Although it is true that Shaffer is understood to allow only one of the participants of a conference room to seize control of an SVGA output port of the conferencing port at any given time, it is also true that this data is believed to be shared amongst all remaining participants physically connected to the conferencing server, and not those participants that have *subscribed* to the conference data stream. Furthermore, Shaffer is wholly devoid of any reference to the features of halting a conference data stream if no participants are subscribed, or restarting publishing based on receiving information that a new participant has subscribed.

Miller is not seen to remedy the deficiencies of Shaffer. In particular, the cited portion of Miller is merely seen to describe the passing of messages or data using a publish/subscribe system. Miller is not believed to describe, nor does the Office Action even assert that Miller

describes, at least the features that *i*) a subscription for a conference data stream is registered with a CBM network; *ii*) if it is determined that no participants are subscribed to the conference data stream, publishing of the input data via the conference data stream is halted; and *iii*) publishing of the input data via the conference data stream is restarted based on receiving the information. Accordingly, the combination of references does not support a *prima facie* case of obviousness.

Based on the foregoing amendments and remarks, independent claims 1, 14 and 32 are believed to be allowable over the applied references. The other rejected claims in the application are each dependent on these independent claims and are thus believed to be allowable over the applied references for at least the same reasons. Because each claim is deemed to define additional aspects of the disclosure, however, the individual consideration of each claim on its own merits is respectfully requested.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, objection, issue, or comment, including the Office Action's characterizations of the reference, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Since the amendments made herein have been made solely in an effort to expedite advancement of this case, the Applicants reserves the right to prosecute the rejected claims in further prosecution of this or related applications.

No other matters being raised, it is believed that the entire application is fully in condition for allowance and such action is courteously solicited.

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No fees are believed to be due at this time. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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